

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of a Warrant to
Search a Certain Email Account
Controlled and Maintained by
Microsoft Corporation

Case No. 13-MAG-2814

**NOTICE OF MOTION FOR LEAVE TO APPEAR AS AMICUS CURIAE IN SUPPORT
OF MICROSOFT CORPORATION**

PLEASE TAKE NOTICE, that Apple Inc. (“Apple”) and Cisco Systems, Inc. (“Cisco”), by and through undersigned counsel, shall move for leave to participate as *Amicus Curiae* in support of Microsoft Corporation, in the above-captioned matter before the Honorable Loretta A. Preska, on a date and at a time to be determined by the Court, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007. Apple and Cisco bring this motion under this Court’s inherent authority to allow *Amici* to participate. *See, e.g.*, *United States v. Ahmed*, 788 F. Supp. 196, 198 at n.1 (S.D.N.Y. 1992), *aff’d*, 980 F.2d 161 (2d Cir. 1992) (A district court has broad inherent authority to permit or deny an appearance as *amicus curiae* in a given case). Microsoft Corporation has consented to Apple and Cisco’s filing of the *amicus* brief. As the proposed brief is less than 15 pages, and is being filed by June 13, 2014, the Government has consented to this motion by its letter of June 10, 2014.

Respectfully submitted,

/s/

Marc J. Zwillinger (*Pro Hac Vice Pending*)
Kenneth M. Dreifach (SBN 2527695)
ZWILLGEN PLLC
232 Madison Avenue, Suite 500
New York, NY 10016
(646) 362-5590 (tel)
(202) 706-5298 (fax)

Counsel for Apple Inc. and Cisco Systems, Inc.

Dated: June 13, 2014